IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

FRIDAY, THE 8TH JUNE 2007 / 18TH JYAISHTA 1929

WP(C).No. 4181 of 2007(W)

{A.S.NO.6/2007 OF THE ADDL. DISTRICT COURT-II, MAVELIKKARA
IN OS.450/2002 OF THE MUNSIFF'S COURT, MAVELIKKARA}

.....

PETITIONER:

SADASIVAN, S/O.NARAYANAN,
EDAPPURA VEEDU, ANJILIPRA MURI,
KANNAMANGALAM VILLAGE, MAVELIKKARA TALUK.

BY ADV. SRI.R.RAMADAS

RESPONDENTS:

1. SUDHAKARAN, S/O.KARUTHAKUNJU,
VANIYAPURAYIL VEEDU, ANJILIPRA MURI,
KANNAMANGALAM VILLAGE, MAVELIKARA TALUK.

2. SASI, S/O.KARUTHAKUNJU,
VANIYAPURAYIL VEEDU, ANJILIPRA MURI,
KANNAMANGALAM VILLAGE, MAVELIKKRA TALUK.

3. REGHU, P.B.NO.1260,
PHUJAINA, DUBAI, U.A.E.

R1 & R2 BY ADV. SRI.D.KRISHNA PRASAD
SRI.D.NARENDRANATH
SRI.M.HARISHARMA
SRI.T.P.ELDHOSE
SMT.O.K.SANTHA

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 08/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONERS' EXHIBITS:

EXT.P1: TRUE COPY OF THE ORDER DATED 30.01.207 IN I.A.NO.7/2007 IN A.S.NO.6/2007, ADDITIONAL DISTRICT COURT, MAVELIKKARA.

RESPONDENTS' EXHIBITS: NIL

//true copy//

P.S. To Judge

sk/-

M.N.KRISHNAN, J.

W.P.(C) No.4181 of 2007 W

Dated this the 8th day of June, 2007.

JUDGMENT

This writ petition is filed to set aside the order in I.A.No.7/2007 in A.S.No.6/2007 passed by the Additional District Court, Mavelikkara.

2. The contesting parties/plaintiffs in the suit, who are respondents 1 and 2 in the writ petition, entered appearance. The 3rd respondent in the writ petition, though not served with a notice, is only a defendant in the case, who had chosen to remain ex parte. Therefore, notice to the 3rd respondent is dispensed with.

3. It is submitted by learned counsel for respondents 1 and 2 viz., the plaintiffs, that his clients will not file an execution petition before the court for executing the decree till the disposal of the appeal. It is also submitted that, if possible, there may be a direction for expeditious disposal of the appeal.

Therefore, in the light of the undertaking that no execution petition will be filed for execution of the decree, the writ petition is closed and the Additional District Court, Mavelikkara, if

possible, especially being a matter of 2007, if finds time, may dispose of the appeal as expeditiously as possible.

Sd/-
(M.N.KRISHNAN)
JUDGE

sk/

//true copy//

P.S. To Judge